

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**May 8, 2006**

- C049289      THE PEOPLE v. MENA et al.      (Not for Publication)**  
The matter is remanded to the superior court with directions... In all other respects, the judgments are affirmed.  
NICHOLSON, J.  
We Concur:    Blease, Acting P.J.  
                 Morrison, J.
- C050541      THE PEOPLE v. SIKORA      (Not for Publication)**  
The abstract of judgment incorrectly states that the sentence for the prior prison term enhancement (§ 667.5, subd. (b)) was stayed; in fact, it was ordered to run concurrently with the sentence on count 3 (firearm exhibition). The trial court is directed to amend the abstract to reflect this...  
DAVIS, Acting P.J.  
We Concur:    Nicholson, J.  
                 Butz, J.

**May 9, 2006**

- C050113      THE PEOPLE v. PUNIAN      (Not for Publication)**  
The judgment is modified... As modified, the judgment is affirmed.  
The trial court is directed to issue an amended abstract of judgment reflecting these changes, and to forward a certified copy to the Department of Corrections and Rehabilitation.  
DAVIS, Acting P.J.  
We Concur:    Morrison, J.  
                 Butz, J.
- C050216      THE PEOPLE v. OTANO      (Not for Publication)**  
The judgment is affirmed.  
BLEASE, Acting P.J.  
We Concur:    Nicholson, J.  
                 Morrison, J.
- C050699      THE PEOPLE v. SMITH      (Not for Publication)**  
The order granting probation is modified... As modified, the order granting probation (judgment) is affirmed.  
RAYE, J.  
We Concur:    Sims, Acting P.J.  
                 Cantil-Sakauye, J.

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**May 9, 2006, continued**

**May 10, 2006**

**C049843**      **THE PEOPLE v. VAUGHN**      **(Not for Publication)**  
                          The judgment is affirmed.  
                          DAVIS, J.  
 We Concur:    Scotland, P.J.  
                          Sims, J.

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**May 10, 2006, continued**

**C046541      BARDIS v. CAPITOL RACING et al.      (Not for Publication)**  
The order denying the motion to strike is affirmed. Bardis shall recover costs on appeal.

RAYE, J.  
We Concur:    Scotland, P.J.  
                     Sims, J.

**C048678      CAL-NEVA LODGE, INC. v. McNEIL et al. and BLUTH      (Not for Publication)**

The judgment is affirmed.  
                     DAVIS, J.  
We Concur:    Blease, Acting P.J.  
                     Raye, J.

**C050161      BOLLINGER v. DEPARTMENT OF CORRECTIONS AND REHABILITATION      (Not for Publication)**

The judgment is affirmed.  
                     NICHOLSON, J.  
We Concur:    Robie, J.  
                     Butz, J.

**May 11, 2006**

**C047116      THE PEOPLE v. MAES      (Not for Publication)**

The matter is remanded to the trial court to calculate and award presentence custody credits. The trial court is directed to prepare an amended abstract of judgment reflecting this modification and forward it to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.  
                     HULL, J.  
We Concur:    Sims, Acting P.J.  
                     Davis, J.

**C048321      THE PEOPLE v. KIRK      (Not for Publication)**

The judgment is affirmed.  
                     ROBIE, J.  
We Concur:    Sims, Acting P.J.  
                     Hull, J.

**C050214      THE PEOPLE v. PHAYSALEUM      (Not for Publication)**

The judgment is affirmed.  
                     ROBIE, J.  
We Concur:    Scotland, P.J.  
                     Davis, J.

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**The Minutes**

**May 11, 2006, continued**

- C050948      THE PEOPLE v. DEZONIA      (Not for Publication)**  
The judgment is affirmed.  
RAYE, J.  
We Concur: Scotland, P.J.  
Davis, J.
- C047640      SCHOENIG v. LEVIN      (Not for Publication)**  
The judgment is affirmed. The cross-appeal is dismissed as moot.  
Michael shall recover his costs for the appeal. (Cal. Rules of Court, rule 27(a)(1).)  
SIMS, Acting P.J.  
We Concur: Nicholson, J.  
Raye, J.
- C048978      In re S.B. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND  
HUMAN SERVICES v. J.B.      (Not for Publication)**  
The judgment is affirmed.  
SIMS, Acting P.J.  
We Concur: Hull, J.  
Cantil-Sakauye, J.

**May 12, 2006**

- C048752      THE PEOPLE v. SMITH      (Not for Publication)**  
The judgment is affirmed.  
SIMS, J.  
We Concur: Blease, Acting P.J.  
Hull, J.
- C049373      THE PEOPLE v. SARGENT      (Not for Publication)**  
Defendant's convictions for counts II and III are reversed, and the  
concurrent terms imposed on these counts are vacated. The trial court is directed  
to amend the abstract of judgment accordingly and to send a certified copy of the  
amended abstract to the Department of Corrections and Rehabilitation, In all  
other respects, the judgment is affirmed.  
SCOTLAND, P.J.  
We Concur: Sims, J.  
Davis, J.

**COURT OF APPEAL  
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**The Minutes**

**May 12, 2006, continued**

- C050606      THE PEOPLE v. GUTIERREZ      (Not for Publication)**  
The judgment is modified... As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect this modification and to correct the clerical error noted in part II of the opinion, *ante*. In addition, the trial court is directed to send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.  
SCOTLAND, P.J.  
We Concur:    Sims, J.  
                  Davis, J.
- C050664      THE PEOPLE v. THILL      (Not for Publication)**  
The order requiring defendant to pay \$42 per month for the cost of probation supervision, \$540 in attorney fees, and \$358 for the cost of the presentence investigation and report are stricken. In all other respects, the judgment is affirmed. The trial court is directed to amend the abstract of judgment accordingly and to send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.  
SCOTLAND, P.J.  
We Concur:    Sims, J.  
                  Davis, J.
- C051113      THE PEOPLE v. ROBERTS      (Not for Publication)**  
The judgment is affirmed.  
HULL, J.  
We Concur:    Blease, Acting P.J.  
                  Robie, J.
- C047689      YOUNGMAN v. DEPARTMENT OF TRANSPORTATION      (Not for Publication)**  
The judgment is affirmed. The State shall pay Youngman's costs of this appeal, including reasonable attorney fees as provided by Code of Civil Procedure section 1036.  
MORRISON, J.  
We Concur:    Scotland, P.J.  
                  Raye, J.
- C049900      FOX et al. v. TRINDADE      (Not for Publication)**  
The judgment is affirmed. Trindade is awarded costs on appeal. (Cal. Rules of Court, rule 27 (a).)  
BLEASE, Acting P.J.  
We Concur:    Sims, J.  
                  Cantil-Sakauye, J.

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**The Minutes**

**May 12, 2006, continued**

**C050974      In re NICHILOS D.; BUTTE COUNTY DEPARTMENT OF EMPLOYMENT AND  
SOCIAL SERVICES v. DIANA C.                      (Not for Publication)**

The order terminating parental rights is vacated, and the matter  
remanded to the juvenile court...

SIMS, Acting P.J.

We Concur: Morrison, J.

Butz, J.

**C049802      THE PEOPLE v. WALLACE**

BY THE COURT:

Appellant's petition for rehearing is denied.

BLEASE, Acting P.J.